IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO. 7831 OF 2006

Kishore Amratlal Karia .... Petitioner

versus

Laxmi Market Premises
Co-operative Society & anr..... Respondent.

Mr. R.V.Pai i/b Ms. Bina R. Pai for the petitioners
Mr. V.N. Bolingkar for Respondent no.1.
Mr. Rajeev Matkar for Respondent no.2.

CORAM; A.P. DESHPANDE, J.
DATED; 23RD JULY, 2007

P.C.:

1. Heard the learned advocate for quite sometime.

2. The learned counsel for the petitioner seeks permision to withdraw the writ petition with liberty to approach the Maharashtra State Co-operative Appellate Court, Bombay with a view to seek clarification as to what are the legal bills contemplated and referred to in the operative part of the order dated 11-10-2006. Allowed to be withdrawn with liberty as prayed for.

3. The learned counsel for the petitioner submits that a sum of Rs.one lac has been paid to the society and the said fact is not disputed by the learned

counsel appearing for the society. It is then stated that the petitioner is not using and will not use the upper terrace admeasuring 3800 sq.fts.for commercial purpose and will use the same as any other member of the society. The statement is taken on record.

4. The learned counsel appearing for the petitioner submits that they would be moving an application seeking clarification within a period of four weeks from today.

5. Parties to act on an authenticated copy of this order.

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